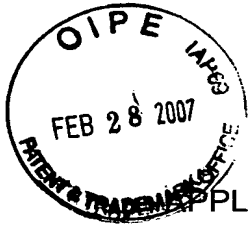


03-01-07



PATENT

AF  
JFW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S) : Johnson et al.

TITLE : **A METHOD AND APPARATUS  
FOR REDUCING ADJACENT  
CHANNEL POWER IN WIRELESS  
COMMUNICATION SYSTEMS**

APPLICATION NO. : 09/395,490

FILED : September 14, 1999

CONFIRMATION NO. : 6096

EXAMINER : Burd, Kevin Michael

ART UNIT : 2611

LAST OFFICE ACTION : August 29, 2006

ATTORNEY DOCKET NO. : LUTZ 2 00023  
Case Name/No. Johnson 6-1-17

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicant hereby appeals to the Board from a decision of the primary Examiner mailed **August 29, 2006** finally rejecting claims 1-28 and 30-34.

The items checked below are appropriate:

1. **STATUS OF APPLICANT**

☒ This application is on behalf of other than a small entity.

2. **FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. 1.17(b) the fee for filing the Notice of Appeal is:

☒ other than a small entity \$500.00

3. **EXTENSION OF TERM**

☒ Applicants hereby petition the Commissioner under 37 C.F.R. §1.136(a) for a three-month extension of time up to and including **February 28, 2007** in which to file the accompanying Notice of Appeal. Payment for the

03/02/2007 MBELETE1 00000019 09395490

01 FC:1401  
02 FC:1253

500.00 OP  
1020.00 OP

filing of this Notice of Appeal and any appropriate extension of time fees are authorized to be charged to a Credit Card. The appropriate form PTO-2038 is enclosed for this purpose. If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308. If there are any additional fees required by this communication, please charge same to Deposit Account No. 06-0308.

4. **TOTAL FEES DUE**

The total fee due is:

|                        |                   |
|------------------------|-------------------|
| Notice of Appeal Fee:  | <u>\$500.00</u>   |
| Extension of Time Fee: | <u>\$1,020.00</u> |

5. **METHOD OF PAYMENT**

☒ The fees indicated above are authorized to be charged to a credit card.

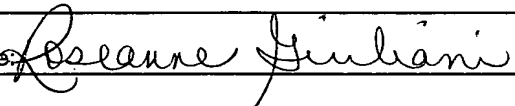
Respectfully submitted,

FAY SHARPE LLP

February 28, 2007

Date

  
Joseph D. Dreher, Reg. No. 37,123  
1100 Superior Avenue  
Seventh Floor  
Cleveland, OH 44114-2579  
216-861-5582

| CERTIFICATE OF MAILING OR TRANSMISSION  |   |
|---|---|
| I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being  |   |
| <input checked="" type="checkbox"/> deposited with the United States Postal Service "Express Mail" service under 37 CFR 1.10, addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below. |   |
| <input type="checkbox"/> transmitted to the USPTO by facsimile in accordance with 37 CFR 1.18 on the date indicated below.  |   |
| Express Mail Label No.: EV 889469616 US   | Signature:  |
| Date: February 28, 2007   | Name: Roseanne Giuliani   |